

## **EXHIBIT A**

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY  
CAMDEN VICINAGE**

<b>IN RE: VALSARTAN, LOSARTAN, AND IRBESARTAN PRODUCTS LIABILITY LITIGATION</b>	<b>Case No. 19-md-2875 MDL No. 2875</b>  <b>Honorable Renée Marie Bumb, Chief District Judge</b>  <b>Special Master Judge Thomas Vanaskie</b>
<i>This Document Relates to All Losartan and Irbesartan Actions</i>	

**[PROPOSED] STIPULATION ON MOTION TO DISMISS AND ORDER**

WHEREAS, Defendants previously moved to dismiss Plaintiffs' Master Valsartan Complaints along with extensive briefing of arguments and authorities in support (*see* ECF 520-523, 598-600);

WHEREAS after consideration of the motions briefing, this Court entered a series of opinions and orders on the motions to dismiss filed by Defendants regarding Plaintiffs' Master Valsartan Complaints (*see* ECF 675-676, 728-729, 775-776, 818-819, 838-839, 1019-1020);

WHEREAS, the Special Master and this Court granted Plaintiffs' motion for leave to amend their Master Valsartan Complaints (*see* ECF 1614-1615, 1994) and allowed certain claims as specified therein, consistent with the Court's prior rulings on Defendants' motions to dismiss;

WHEREAS, prior to the Court's rulings noted above, Plaintiffs at the Court's direction filed Master Complaints for Losartan and Irbesartan, the operative versions of which are on the Court's docket at ECF 681 (Master Losartan Medical Monitoring Complaint), 682 (Master Losartan Personal Injury Complaint), 683 (Master Irbesartan Personal Injury Complaint), 751 (Master First Amended Losartan Economic Loss Complaint), and 752 (Master First Amended Irbesartan Economic Loss Complaint);

WHEREAS, Defendants seek to similarly move to dismiss Plaintiffs' Master Complaints for Losartan and Irbesartan, based on the same or similar grounds, arguments and authorities set forth in Defendants' prior Motions to Dismiss Plaintiffs' Master Valsartan Complaints in a way that resolves the motions, promotes efficiency and preserves Defendants' appellate rights;

WHEREAS, the parties, to conserve their and the Court's resources and for efficiency's sake, seek to avoid briefing motions to dismiss on the Master Losartan and Irbesartan Complaints that would be substantially similar to the prior briefing on the motions to dismiss filed by Defendants as to Plaintiffs' Master Valsartan Complaints, and which would likely generate substantially similar orders and opinions from this Court as to Losartan and Irbesartan;

WHEREAS, the parties seek to preserve all of their respective appellate rights as to each Losartan and Irbesartan claim, defense, motion, ruling, issue and argument;

WHEREFORE, IT IS HEREBY ORDERED THAT:

1. Defendants are hereby deemed to have filed Motions to Dismiss the Master Losartan and Irbesartan Complaints and Amended Complaints asserting, adopting and incorporating any and all positions, arguments and authorities set forth in Defendants' Motions to Dismiss Plaintiffs' Master Valsartan Complaints and the extensive briefing in support (*see* ECF 520-523, 598-600);
2. Claims in the Master Losartan and Irbesartan Complaints that are substantially similar or identical to claims that were previously dismissed from the Master Valsartan Complaints in the Court's prior rulings on Defendants' motions to dismiss regarding the Master Valsartan Complaints (*see* ECF 675-676, 728-729, 775-776, 818-819, 838-839, 1019-1020) and Plaintiffs' motion for leave to amend the Master Valsartan Complaints (*see* ECF 1614-1615, 1994) are dismissed with prejudice, each side to bear their own costs, for substantially the same reasons expressed in those rulings.
3. The parties' right to appeal the Court's rulings, orders and opinions as applied in this Stipulation to the Losartan and Irbesartan Master Complaints are preserved and are not waived, just as if they were set forth in orders and

opinions mirroring ECF 675-676, 728-729, 775-776, 818-819, 838-839, 1019-1020.

4. Defendants expressly preserve and do not waive their rights to challenge the remaining claims in the Master Valsartan, Losartan, and Irbesartan Complaints and any short form complaints, including through dispositive motions.
5. The parties expressly preserve and do not waive their existing rights to appeal the Court's prior rulings on Defendants' motions to dismiss regarding the Master Valsartan Complaints (*see* ECF 675-676, 728-729, 775-776, 818-819, 838-839, 1019-1020) and Plaintiffs' motion for leave to amend the Master Valsartan Complaints (*see* ECF 1614-1615, 1994). Nothing in this Stipulation is intended to expand, extinguish, or otherwise affect the parties' existing appellate rights as to those prior orders.

**SO ORDERED**, this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

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**Renée Marie Bumb, Chief District Judge**

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